

March 21, 1975

SENATOR NICHOL: Mr. Chairman, members of the Legislature, perhaps I'm a little more sensitive than some of you about elections. I was wondering if enough thought had been given on this bill, I'm not stumping for or against it, as to cities that have city-manager form of government and those who do not? I'm asking this of Senator Lewis, if he would answer please.

SENATOR LEWIS: Yes. Mr. Chairman, yes it has. Now I knew that election bills are very technical so I asked the Secretary of States office to draw up the bill for me so that it would make sure it would meet the provisions of all types of city governments. The technical amendments were drafted for me by Ralph.

SENATOR NICHOL: Then is it the purpose of this bill, Senator Lewis, that once you have an election you have this in the Fall of the year, rather than in the Spring? Then the two people, if there are two seats open, those two high vote getters would be installed automatically? You would do away with primaries?

SENATOR F. LEWIS: If the election is non-contested, there would simply not be an election in the Spring. That election would be in the Fall.

SENATOR NICHOL: May I continue? But if there is . . . if there are more nominees than posts available, then you would have a primary?

SENATOR F. LEWIS: Yes, only under those circumstances. Murphy, you'll remember that's the way we did the school bill.

PRESIDENT: Senator Lewis do you want to close debate by way of reply?

SENATOR F. LEWIS: I'd just like to make one point and let you understand that there is only one election in first class and second class cities now. There is no primary, regardless of the number of candidates that filed, if there's multiplicity of candidates, 6, 7, 8 or 9, some with less than 20 to 25 percent of the vote could be elected to those offices. I think that's in violation of every election principle I know of. I think 323 would resolve that. I'd ask you to advance it.

PRESIDENT: Senator Marsh, for what purpose do you arise?

SENATOR MARSH: To ask if this applies to the city of Lincoln?

PRESIDENT: Well debate is closed, but . . . I think Senator Lewis said that there is a separate statute for primary-metropolitan class cities.

SENATOR F. LEWIS: This is for first class and second class cities only. It doesn't have anything to do with Lincoln or Omaha.

PRESIDENT: Record your vote. Record Mr. Clerk.